

TRANSPORTATION DEPARTMENT[761]

Notice of Intended Action

**Proposing rule making related to lighting of primary-secondary intersections
and providing an opportunity for public comment**

The Department of Transportation hereby proposes to amend Chapter 136, “Lighting,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code section 307.12.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code sections 306.4(1), 318.1, 318.2, 318.4, 318.5, 318.8, 318.9 and 318.12.

Purpose and Summary

The proposed amendments to Chapter 136 remove one of the criteria for determining the candidates for lighting, which has not been used to justify the lighting of any primary-secondary intersection for many years. The method using roadway and traffic factors is proposed to be eliminated because the Department is unable to find the background on this method, and the method is not included in any of the current lighting reference materials.

Other proposed amendments update the Iowa Code sections cited within three implementation sentences to be consistent with the current Iowa Code, update the name of Form 810025, and add the Department’s website so that the form can be easily accessed. Also, this rule making states that the departmental specifications and standard road plans are available on the Department’s website.

Finally, the proposed amendments correct the name of the Traffic and Safety Bureau.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the person’s circumstances meet the statutory criteria for a waiver may petition the Department for a waiver under 761—Chapter 11.

Public Comment

Any interested person may submit written comments concerning this proposed rule making or may submit a written request to make an oral presentation at a public hearing. Written comments or requests to present oral comments in response to this rule making must be received by the Department no later than 4:30 p.m. on January 19, 2021. Comments should be directed to:

Tracy George
Department of Transportation
DOT Rules Administrator, Strategic Communications and Policy Bureau
800 Lincoln Way
Ames, Iowa 50010
Email: tracy.george@iowadot.us

Public Hearing

If requested, a public hearing to hear oral presentations will be held on January 21, 2021, via conference call from 1 to 2 p.m. Persons who wish to participate in the conference call should contact Tracy George before 4:30 p.m. on January 19, 2021, to facilitate an orderly hearing. A conference call number will be provided to participants prior to the hearing.

Persons who wish to make oral comments at the public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rule making.

Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact Tracy George, the Department's rules administrator, and advise of specific needs.

The public hearing will be canceled without further notice if no oral presentation is requested.

Review by Administrative Rules Review Committee

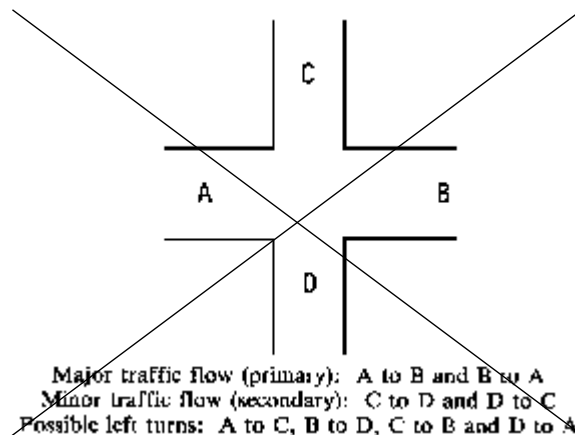
The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

ITEM 1. Amend rule 761—136.1(319) as follows:

761—136.1(319 306,318) Lighting of primary-secondary intersections. The purpose of this rule is to establish the qualification criteria ~~for, application procedure~~ the procedures to request, and the financial responsibilities for the placement of roadway luminaires within the limits of the primary road right-of-way at a rural intersection of a primary road and a paved secondary road.

136.1(1) Lighting criteria. A primary-secondary intersection is a candidate for lighting if one of the following is met:



a. to d. No change.

e. ~~After making the following calculations, the total in subparagraph (3) below exceeds 3000 points.~~

(1) Determine the “Roadway/Traffic Factors” for traffic at A and for traffic at B, using the following formula and “Standard Sight Distances for Speed”:

$$\begin{array}{rcccl} \text{Roadway/} & & \text{Standard Passing Sight} & & \text{Actual Approaching} \\ \text{Traffic} & = & \text{Distance for Speed} & \times & \text{Traffic Volume} \\ \text{Factor} & & \text{Actual Sight Distance} & & 1000 \end{array}$$

Standard Passing Sight Distances For Posted Speeds

Speed	Distance
55 mph	2000 ft.
50 mph	1800 ft.
45 mph	1700 ft.
40 mph	1500 ft.

(2) Compare the two answers; the larger number is the “Greater Roadway/Traffic Factor.”

(3) Calculate points based on the following formula, using current average daily traffic (ADT):

$$\begin{array}{lcl} \text{Greater Roadway/Traffic Factor} \times \text{Traffic Volume from C to D} & = & \text{=====} \\ \text{Greater Roadway/Traffic Factor} \times \text{Traffic Volume from D to C} & = & \text{=====} \\ \text{Greater Roadway/Traffic Factor} \times \text{Traffic Volume from C to B} \times (1.5) & = & \text{=====} \\ \text{Greater Roadway/Traffic Factor} \times \text{Traffic Volume from D to A} \times (1.5) & = & \text{=====} \\ \text{Roadway/Traffic Factor for A} \times \text{Traffic Volume from B to D} \times (1.5) & = & \text{=====} \\ \text{Roadway/Traffic Factor for B} \times \text{Traffic Volume from A to C} \times (1.5) & = & \text{=====} \\ \text{TOTAL} & = & \text{=====} \end{array}$$

136.1(2) No change.

136.1(3) Procedures.

a. No change.

b. The district engineer shall forward the request to the department’s ~~office of~~ traffic and safety bureau for review.

c. and d. No change.

This rule is intended to implement Iowa Code sections ~~319.1, 319.12~~ 306.4(1), 318.1, 318.2, 318.4, 318.5, 318.8, 318.9 and ~~319.14~~ 318.12.

ITEM 2. Amend rule 761—136.2(319) as follows:

761—136.2(319 306,318) Destination lighting. The purpose of this rule is to establish the application procedure and financial responsibilities for the placement of a roadway luminaire within the limits of primary road right-of-way at a rural intersection of a primary road and a minor road.

136.2(1) and 136.2(2) No change.

136.2(3) Procedures.

a. Application shall be made to the appropriate district engineer on Form 810025, “Application and Agreement for Use of Highway Right-of-Way for Utilities Accommodation.” Form 810025 is available on the department’s website at www.iowadot.us. The application shall indicate the type of luminaire and intensity of illumination proposed. A sketch shall accompany the application showing the location of the proposed luminaire and pole and the mounting height of the luminaire.

b. and c. No change.

This rule is intended to implement Iowa Code sections ~~319.1, 319.12~~ 306.4(1), 318.1, 318.2, 318.4, 318.5, 318.8, 318.9 and ~~319.14~~ 318.12.

ITEM 3. Amend rule 761—136.6(306) as follows:

761—136.6(306,318) Warrants and design requirements for lighting.

136.6(1) No change.

136.6(2) *Design requirements.* The design of lighting installations shall comply with departmental specifications and standard road plans for highway lighting as they exist at the time of installation of the lighting. The departmental specifications and standard road plans can be found through the department's electronic reference library on the department's website.

This rule is intended to implement Iowa Code ~~subsections~~ sections 306.4(1), 318.1, 318.2, 318.4, 318.8 and ~~669.14(8)~~ 318.9.